

Rec'd PCT/PTO 25 JUL 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV619645335US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 25, 2005

Signature: Linda Blake
(Linda Blake)

Docket No.: CytRx/016
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Csakai et al.

Application No.: 10/501,029

Confirmation No.: 3625

Filed: January 10, 2003

Art Unit: Not Yet Assigned

For: Carboxamidine Derivatives and Their Use in the
Treatment of Vascular Diseases

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER
35 U.S.C. §371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US)**

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The United States Designated/Elected Office (DO/EO/US) mailed a January 24, 2005 Notification of Missing Requirements Under 35 U.S.C. §371, requiring Applicants, under 37 CFR §1.497(a)(1), to submit an oath or declaration that was executed in accordance with 37 CFR §1.66 or §1.68. A response was due on March 24, 2005. Applicants are concurrently requesting a four-month extension with this response. Accordingly, the new deadline is now July 24, 2005. However, since July 24, 2005 was a Sunday, a response filed on Monday, July 25, 2005 is considered timely, under 37 C.F.R. §1.7. Therefore, this response is being timely filed.

In response to the Notice, Applicants respectfully submit a Combined Declaration and Power of Attorney and Part 2 Copy of Notice. This response is being filed under 37 CFR §1.497(b) in accordance with 37 CFR §1.47(a) by the inventors of the above referenced application on behalf of themselves and a non-signing inventor, Dr. László Dénes, because Dr. Dénes refuses to join in the above referenced application. Accordingly, Applicants hereby also submit a Petition under 37 CFR §1.47(a), accompanied by a fee set forth in 37 CFR §1.17(h),

and a Statement of Facts in support of the petition to accompany the Combined Declaration and Power of Attorney, which Declaration was signed by all inventors in accordance with 37 CFR §1.68 except for by Dr. Dénes, made as required by 37 CFR §1.63 on behalf of themselves, and by 37 CFR §1.64 on behalf of Dr. Dénes.

Please charge our Deposit Account No. 18-1945 in the amount of \$65.00 covering the fee set forth in 37 CFR §1.492(e), \$130.00 covering the petition fee under 37 CFR §1.17(h), and \$795.00 covering the four-month extension fee. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. CytRx/016. A duplicate copy of this paper is enclosed.

Dated: July 25, 2005

Respectfully submitted,

By 

Erika Takeuchi

Registration No.: 55,661

Barbara A. Ruskin

Registration No.: 39,350

ROPES & GRAY LLP

1251 Avenue of the Americas

New York, New York 10020

(212) 596-9000

(212) 841-5725 (Fax)

Attorneys/Agents For Applicant

PTO/SB/21 (09-04)

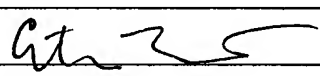
Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	10/501,029
		Filing Date	January 10, 2003
		First Named Inventor	Csakai
		Art Unit	Not Yet Assigned
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	19	Attorney Docket Number	CytRx/016

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): Petition Under 37 CFR 1.47(a) Statement of Facts in Support of the Petition Declaration and Power of Attorney Return Receipt Postcard
<div style="border: 1px solid black; padding: 5px; min-height: 40px;"> Remarks </div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	ROPES & GRAY LLP		
Signature			
Printed name	Erika Takeuchi		
Date	July 25, 2005	Reg. No.	55,661

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV619645335US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 25, 2005

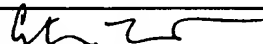
 Signature: 
 (Linda Blake)

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

<p>Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).</p> <h2 style="text-align: center;">FEE TRANSMITTAL</h2> <h3 style="text-align: center;">For FY 2005</h3>		<p>Complete if Known</p>	
		Application Number	10/501,029
		Filing Date	January 10, 2003
		First Named Inventor	Csakai
		Examiner Name	Not Yet Assigned
		Art Unit	Not Yet Assigned
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	CytRx/016
TOTAL AMOUNT OF PAYMENT		(\$)	990.00

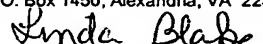
METHOD OF PAYMENT (check all that apply)	
<input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> None <input type="checkbox"/> Other (please identify): _____	
<input checked="" type="checkbox"/> Deposit Account Deposit Account Number: <u>18-1945</u> Deposit Account Name: <u>Ropes & Gray LLP</u>	
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
<input checked="" type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17	<input checked="" type="checkbox"/> Credit any overpayments

FEE CALCULATION							
1. BASIC FILING, SEARCH, AND EXAMINATION FEES							
Application Type	Fee (\$)	FILING FEES		SEARCH FEES		EXAMINATION	
		Small Entity Fee (\$)	Small Entity Fee (\$)	Small Entity Fee (\$)	Small Entity Fee (\$)	Small Entity Fee (\$)	Small Entity Fee (\$)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
2. EXCESS CLAIM FEES							Small Entity Fee (\$)
Fee Description							Fee (\$)
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
Total Claims		Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims		
10501029		10501029	x	=	Fee (\$)		Fee Paid (\$)
65.00 DA							
Indep. Claims		Extra Claims	Fee (\$)	Fee Paid (\$)			
- 3 =		x	=				
3. APPLICATION SIZE FEE							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)			
- 100 =	/50	(round up to a whole number) x	=				
4. OTHER FEE(S)							Fees Paid (\$)
Petition under 37 CFR 1.17(h)							130.00
Other (e.g., late filing surcharge): 2051 Surcharge-Late oath or declaration							65.00
2254 Extension for response within fourth month							795.00

SUBMITTED BY			
Signature		Registration No. (Attorney/Agent)	55,661
Name (Print/Type)	Erika Takeuchi	Telephone	(212) 596-9479
		Date	July 25, 2005

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV619645335US, in an envelope addressed to: MS PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 25, 2005

Signature: 
(Linda Blake)

Application No. (if known): 10/501,029

Attorney Docket No.: CytRx/016

Certificate of Mailing under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV619645335US, in an envelope addressed to:

MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on July 25, 2005
Date



Signature

Linda Blake

Typed or printed name of person signing Certificate

Registration Number, if applicable

(212) 596-9000

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Transmittal (1 page)

Four Month Request for Extension of Time Under 37 CFR 1.136(a) (in duplicate) (Total: 2 pages)

Fee Transmittal (in duplicate) (Total: 2 pages)

Response to Notification of Missing Requirements Under 35 USC 371 (in duplicate) (Total: 4 pages)

Statement of Facts in Support of the Petition (3 pages)

Petition Under 37 CFR 1.47(a) (2 pages)

Copy of Response to Notification of Missing Requirements Under 35 USC 371(2 pages)

Declaration and Power of Attorney (3 pages)

Authorization to charge \$990.00 to deposit account 18-1945

This Certificate of Mailing all mailed by First Class Mail

Return Receipt Postcard

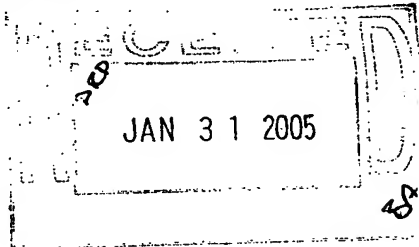


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/501,029	Zita Jegesne Csakai	SBGK-102

23557
 SALIWANCHIK LLOYD & SALIWANCHIK
 A PROFESSIONAL ASSOCIATION
 PO BOX 142950
 GAINESVILLE, FL 32614-2950



INTERNATIONAL APPLICATION NO.	
PCT/HU03/00003	
LA. FILING DATE	PRIORITY DATE
01/10/2003	01/11/2002

CONFIRMATION NO. 3625
 371 FORMALITIES LETTER



OC000000014968960

Date Mailed: 01/24/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/09/2004
- Copy of the International Search Report filed on 07/09/2004
- Copy of IPE Report filed on 07/09/2004
- Preliminary Amendments filed on 07/09/2004
- Oath or Declaration filed on 07/09/2004
- Request for Immediate Examination filed on 07/09/2004
- U.S. Basic National Fees filed on 07/09/2004
- Priority Documents filed on 07/09/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 305-2936

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/501,029	PCT/HU03/00003	SBGK-102

FORM PCT/DO/EO/905 (371 Formalities Notice)